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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,236	12/22/2000	Yoshinori Hijikata	JP919990254US1	2689

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EXAMINER

MANIWANG, JOSEPH R

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 08/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/746,236

**Applicant(s)**

HIJIKATA ET AL.

**Examiner**

Joseph R Maniwang

**Art Unit**

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.  
4a) Of the above claim(s) 7 and 11-21 is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-6 and 8-10 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 12/22/00 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Applicant claims foreign priority benefits to application 11-371347 JAPAN filed 12/27/1999. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Election/Restrictions***

2. Applicant's election of Group I (claims 1-6 and 8-10) in the reply filed 05/17/04 is acknowledged. Withdrawal of Group II (claims 7 and 11-21) is also acknowledged. Claims 1-6 and 8-10 have been examined.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 8 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claim 8 recites the limitation "said character string extraction means". There is insufficient antecedent basis for this limitation in the claim.
6. Claim 10 recites the limitation "said storage means of said information collection apparatus". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 103***

7. Claims 1-6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (U.S. Pat. No. 6,138,155), hereinafter referred to as Davis, and further in view of Saito (U.S. Pat. No. 5,900,005), hereinafter referred to as Saito.

8. Davis disclosed a method and system for monitoring a client's interactions over a network. The system comprised a server from which data files were provided for a client to browse (see column 6, lines 57-64). Clients viewed the data files, in this case web pages, from the server through a browsing means (see column 6, line 65 through column 7, line 5). The system further included an operation detection means for monitoring a user's operations during the display of the web pages through the browsing means, such as a mouse event or selection of links (see column 4, lines 42-59). Davis disclosed that the operation detection means was a program package, and could be embedded in the web contents (see column 4, line 43; column 5, lines 18-21; column 8, lines 12-27, 36-59). The program package could be transmitted to the client from the web server (see column 8, lines 12-15). In addition to a client-side execution of the program package, Davis disclosed that the program package could alternatively be embedded into a web page and then downloaded to the client with the web page, implicitly disclosing that a process received the web contents and performed the additional process of embedding the program package before delivering the embedded page to the client (see column 8, line 67 through column 9, line 3). In this way, Davis implicitly described a proxy server for embedding the program package in a web page,

Art Unit: 2144

as the broad concept of a proxy relates to nothing more than a process, and where the embedding process acted as a server since it transmitted the embedded page to the client. Davis also disclosed the use of a portal site for providing the programming package, where upon access by a client, a page with clickable menus/options was provided for tracking the client's interactions (see column 14, lines 1-29). Davis disclosed the use of embedded Java applets for the programming package tracking user interactions (see column 12, lines 20-31).

9. Davis disclosed tracking user interactions such as mouse and keyboard events, elapsed time, or link selections (see column 4, lines 50-59), but did not specifically disclose extracting displayed information at a location where the specific user operation detected is performed on the browsing means.

10. In a related art of web browsing, Saito disclosed a system for extracting text from a displayed web page. The invention extracted information at the location of a cursor in response to a user operation (see column 2, lines 15-44; column 3, lines 7-13). The extracted information was a unit of text, such as a word (see column 3, lines 19-23; column 7, lines 46-57). Similar to Davis, the invention applied to web pages displayed on a browser (see column 4, lines 35-44). The information extraction was in response to an event, such as a user operation with the mouse (see column 5, lines 46-67). The extracted text was then sent to a server for analysis (see column 7, lines 11-17).

11. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Davis and Saito to provide a client-server system for browsing web pages, including an operation detection means for detecting user

Art Unit: 2144

operations and an information extracting means for extracting information displayed on the web page at a location where the operation was performed as claimed. The invention of Davis generally related to performing an analysis of a user's interactions in light of the displayed data in order to determine the relevancy of a page to the user (see column 1, lines 64-67; column 2, lines 56-64; column 3, lines 12-17). Davis recognized that the available techniques for monitoring a user's interactions to determine the relevancy of the browsed content were limited (see column 2, lines 28-32; column 3, lines 28-36; column 4, lines 1-4). One of ordinary skill in the art would have then been motivated to consider other monitoring techniques for improving the determination of relevancy desired by Davis, such as the text extraction method described by Saito. Saito disclosed that conventional search routines for determining relevant words on a web page were complicated, and the disclosed text extraction technique was a more convenient method for determining relevant words on the web page (see column 1, lines 31-56).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kiraly et al. (U.S. Pat. No. 6,249,606) disclosed a method and system for performing mouse cursor gesture recognition.

Kiraly et al. (U.S. Pat. No. 6,735,632) disclosed an intelligent assistant for recognizing gestures performed on an Internet site.

Schumacher et al. (U.S. Pat. No. 6,631,345) disclosed a method and system using applets for monitoring events generated by a user.

Gough (U.S. Pat. No. 6,704,771) disclosed a method and system for viewing electronic messages.


Ide et al. (U.S. Pat. No. 5,598,187) disclosed a method for controlling a device using gestures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph R Maniwang whose telephone number is (703) 305-3179. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William A Cuchlinski can be reached on (703)308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM

  
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